REMARKS

The above amendment and these remarks are responsive to the Office action of 6 Feb 2003.

Claims 1-17 are in the case, none having been allowed.

35 U.S.C. 103

Claims 1-17 have been rejected "under 35 U.S.C. 102(b) as being unpatentable over Albers et al. (US 6,223,188 B1), Tso et al. (US 6,185,625 B1) in view of Toga (US 5,987,504)." [Office Action, page 3. Emphasis added.]

Applicants respond to this rejection on the assumption that a typographical error was made, and it was intended to be a rejection under 35 U.S.C. 103.

While claims 1-17 were indicated as rejected under the above combination of Albers-Tso-Toga, the combination was applied to claims 1-13 [Office Action, pages 3-8] and claims 14-17 were further rejected over Albers-Tso-Toga "in

view of well known features of using computer program product stored on a computer readable medium". [Office Action, page 9.]

In this final Office Action, the Examiner newly cites the Toga reference for "teachings of a system and method for delivering data... for the purpose of delaying the transfer of information between server and client (Toga, col. 1, lines 45-62). It is important to note that while Toga "delays" transfer, applicants' invention completely blocks such transfer.

Toga uses the Accept parameter in the initial HTTP request to restrict the content type of file retrieved by the server. The client(browser) creates the HTTP GET header with the content types that are accepted by the client(browser).

In contrast, in the present invention, the HTTP HEAD method is used to retrieve only the header information from the server. The response with header information contains the Content-Type and Size information. The client checks the Content-Type parameter specified by a user to see if the Content-Type in the header meets the user specification.

Hartmann, et al uses the Content-Type and Content-Size in the header to determine if the data meets the user specification. The client/browser retrieves the data only if the Content-Type meets the user specification.

Again, Toga specifies a method that uses SMTP protocol to send the data that does not meet the specific content type using the SMTP server. This creates a method for specifying a way to delay sending the data or to send the data to another address.

Again, in contrast to Toga, the present invention always uses the HEAD method with the HTTP protocol to retrieve the response header. The response to the HEAD method is header with Content-Type and Content-Size The client after checking user parameters on content-type and content-size against the content-type and content-size information in the response, either will issue the GET method to retrieve the data or end the request.

Toga will use either the HTTP or SMTP protocol to always return data. The present invention provides a method by which data will not be retrieved if the Content-Type or Content-Size are not within the user parameters.

On the other hand, Tso uses a proxy server that converts object responses from remote servers connected to the proxy server to an encoding preferred by the user.

Further on the other hand, Albers uses the HEAD method of the Internet standard for HTTP 1.0 protocol in RFC 1945 to get information about all the links on a particular page so that auditory or visual cues can be set based on the data type of those links.

Applicants' invention, as viewed from the server, relates to the following:

1. Receiving the HEAD request.
2. Responding to the HEAD request with the attributes of the data requested in the header.
3. Receiving a GET request, but only if the client determines that the attributes of the data match a users specification.
4. Responding to the GET request with the data attributes and data.

In this manner, the present invention has to do with whether to retrieve data at all. As viewed from the client, the

HEAD method is used to retrieve information on one web page from the server to determine whether to retrieve that web page. The GET method is used to retrieve the data, but only when the type of data and size match the user specifications.

Applicants assert that the combination of Albers, Tso and Toga do not teach the present invention. In applicants invention, HEAD is used to query the information about data on a remote server, which is similar to Albers, but then unlike Albers makes decisions about whether to retrieve the data when it is within the size and type specified by a user.

Tso saves download time by only downloading data that is the correct encoding and further requires data modification by a proxy server. The present invention requires no such data modification to the data, except to get only the first xx characters based on a user specification. The present invention provides the unique capability to save download time based on type and size of data.

Applicants have amended each of the independent claims

to more clearly recite the distinction described above with respect to Albers-Tso-Toga.

SUMMARY AND CONCLUSION

Applicants urge that the above amendments be entered and the case passed to issue with claims 1-17.

If, in the opinion of the Examiner, a telephone conversation with applicant(s) attorney could possibly facilitate prosecution of the case, he may be reached at the number noted below.

Sincerely,

R. G. Hartmann, et al.

By

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